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NOTES OF CASES.

CRIMINAL PRACTICE—GRAND JURY.—A statute requiring twenty-three grand jurors is held, in *State v. Vincent* (Md.), 52 L. R. A. 83, to be, not merely directory, but mandatory, and an indictment by a less number is held bad on demurrer.

STREET RAILWAY EMPLOYEES—WHEN PASSENGERS.—Street railway employees riding gratuitously when off duty, under a rule permitting them to ride free, are held, in *Dickinson v. West End St. R. Co.* (Mass.), 52 L. R. A. 326, to be passengers, and not servants.

CONSTITUTIONAL LAW—PHARMACY ACT.—A pharmacy act giving an exclusive privilege to registered pharmacists for the sale of patent and proprietary medicines, without requiring any inspection or examination thereof, is held, in *Noel v. People* (Ill.), 52 L. R. A. 287, to be unconstitutional.

GATES AT RAILWAY CROSSING.—The right of a traveler to rely upon the fact that gates at a railroad crossing are raised, or that a flagman usually present when a train is approaching is not in sight, is upheld in *Woehrle v. Minnesota Transfer R. Co.* (Minn.), 52 L. R. A. 348, within limitations, and the extent to which he may so rely is held to be a question for the jury.

FIRE INSURANCE—PROOF OF LOSS.—Failure to furnish proofs of loss under a policy of insurance within the specified time, where there is no stipulation that the policy shall be void on that account, is held, in *Southern Fire Ins. Co. v. Knight* (Ga.), 52 L. R. A. 70, not to make the policy void, but to leave the insured an opportunity to furnish them within a reasonable time.

LIFE INSURANCE—INTEREST OF CHILDREN.—A policy on a man's life for the benefit of his wife, and, in case of her death, payable to his children, is held, in *Millard v. Brayton* (Mass.), 52 L. R. A. 117, to be a contract with the wife, and to give the children, in case of her death during his lifetime, a vested interest which will inure to their estates if they die while the father is living.

MEASURE OF DAMAGES—LOSS OF PROFITS.—The profits of a boarding house conducted by one injured by negligence are held, in *Wallace v. Pennsylvania R. Co.* (Pa.), 52 L. R. A. 33, to be properly considered in determining her earning power as an element of damages to be awarded for the injury. A note to this case collates the authorities on the subject of damages for torts as affected by loss of profits.

JUDGMENT AGAINST OFFICER—SURETIES.—A judgment against a constable for an unlawful seizure is held, in *Rodini v. Lytle* (Mont.), 52 L. R. A. 165, to have no effect as against the sureties on his official bond, who were not parties to the action in which it was rendered.

A note to this case reviews the authorities as to the effect against sureties on official bond of judgment against officer.